

S/N: 10/708,511  
Reply to Office Action of December 6, 2005

Atty Dkt No. 81094149 / FMC 1693 PUS

### **Remarks**

In response to the final Office Action mailed December 6, 2005, the Applicants respectfully request reconsideration of the rejections and that the case pass to issue in light of the remarks below.

The Examiner rejects claims 1-11 and 13-20 under 35 U.S.C. § 103(a) as being unpatentable over USPA 2005/0128065 to Kolpasky in view of USPN 6,215,298 to Wesberg and claim 12 under 35 U.S.C. § 103(a) as being unpatentable over the Kolpasky application in view of the Wesberg patent and further in view of USPN 6,480,106 to Crombez.

#### **Claims 1-11 and 13-20 Are Patentable Under 35 U.S.C. § 103(a)**

Claims 1-11 and 13-20 are patentable under 35 U.S.C. § 103(a) over the Kolpasky application and the Wesberg patent. The Applicants have submitted herewith an Affidavit Under 35 U.S.C. § 131 to demonstrate reduction to practice of the presently claimed invention prior to the filing date of the Kolpasky application. The Applicants respectfully submit that this affidavit obviates the rejections set forth by the Examiner to claims 1-11 and 13-20. Accordingly, claims 1-11 and 13-20 are believed to be patentable and nonobvious over the cited references.

#### **Claim 12 is Patentable Under 35 U.S.C. § 103(a)**

Claim 12 is patentable under 35 U.S.C. § 103(a) over the Kolapsky application in view of the Wesberg patent and further in view of the Crombez patent. Claim 12 depends from patentable claim 1, and therefore, is patentable at least for the same reasons that claim 1 is patentable.

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### **Conclusion**

The Applicants have enclosed herewith a Declaration Under 131 to correct the deficiencies noted in the previously submitted declaration. It is believed that the attached declaration does sufficiently support the reduction to practice of the presently claimed invention prior to the filing date of the Kolapsky application. For the reasons submitted above, the Applicants respectfully submit that each rejection has been fully replied to and traversed and that the case is in condition to pass to issue. The Examiner is respectfully requested to pass this case to issue and is invited to contact the undersigned if it would further prosecution of this case to issue.

Respectfully submitted,

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